

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, DECEMBER 12, 2005**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, December 12, 2005, with President Talley presiding.

Councillor Salisbury led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
1 ABSENT: Bradford

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Abdullah recognized Mrs. Ryan Hart. Councillor Gray introduced former deputy mayor, Joe Slash. Councillor Mansfield recognized the United States Marine Corps members in attendance. Councillor Pfisterer introduced former County Coroner Dr. John McGoff. Councillor Oliver recognized friend Ed Wright. Councillor Gibson recognized State Representative David Orentlicher. Councillor Keller introduced Bil Browning, Indiana Equality.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 12, 2005, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Steve Talley
President, City-County Council

November 21, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, November 25, 2005, a copy of a Notice of Public Hearing on Proposal Nos. 589, 592, 596, 602, 603, 605, 607 and 608, 2005, said hearing to be held on Monday, December 12, 2005, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

November 30, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, December 1, 2005, a copy of a Notice of Public Hearing on Proposal No. 590, 2005, said hearing to be held on Monday, December 12, 2005, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

November 22, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinance:

FISCAL ORDINANCE NO. 152, 2005 – approves an increase of \$19,374 in the 2005 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to fund three programs for youth at Washington Park, supporting drug and violence reduction and development of a technology-based Youth Leadership Academy for youth ages 10-18, funded by Weed and Seed grants from the US Department of Justice

FISCAL ORDINANCE NO. 153, 2005 – approves an increase of \$64,474 in the 2005 Budget of the Department of Parks and Recreation (Park General Fund) to fund afterschool programs at IPS School 27, funded by a donation from the United Way, and to implement character building programs for youth, funded by a grant from the NCAA

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FISCAL ORDINANCE NO. 154, 2005 – approves an increase of \$102,763 in the 2005 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to pay for construction inspection for the bike and pedestrian trail on the upper Fall Creek trail between 56th Street and Shadeland Avenue, financed by federal funds from the Transportation Enhancement Fund administered by the Indiana Department of Transportation

FISCAL ORDINANCE NO. 161, 2005 – transfers and appropriates \$1,563,000 in the 2005 Budget of the Department of Public Works, Fleet Services Division (Consolidated County Fund), to pay additional costs for motor vehicle fuel due to rising fuel prices, financed by internal charges and revenues from non-city customers who purchase fuel from Fleet Services

FISCAL ORDINANCE NO. 162, 2005 – approves an increase of \$330,000 in the 2005 Budget of the Department of Public Works, Policy and Planning Division (Non-Lapsing Federal Grants Fund), to implement mutually agreed upon air quality improvement projects, financed by a \$145,000 payment to accomplish a supplemental environmental project provided for in a Consent Agreement and Final Order between the International Truck and Engine Corporation and the US Environmental Protection Agency (EPA), and to retrofit approximately 196 vehicles owned by DPW and other governmental entities and undertake public education and outreach to raise awareness of air quality issues, financed by a \$185,000 grant from the EPA

GENERAL ORDINANCE NO. 108, 2005 – authorizes speed limit reductions throughout the Waters Edge subdivision (District 25)

SPECIAL ORDINANCE NO. 3, 2005 – a final resolution for LDG-IND, LLC in an amount not to exceed \$11,100,000 which consists of the acquisition and rehabilitation of the existing 256-unit multifamily housing rental project currently known as Fox Run Apartments (to be renamed Cambridge Station Apartments, Phase II) located at 523 Tomahawk Trail (District 13)

GENERAL RESOLUTION NO. 21, 2005 – approves the issuance of one or more series of Sanitary District Revenue Bonds, and if necessary, one or more series of notes in an aggregate principal amount not to exceed \$160,000,000 and approving and authorizing other actions in respect thereto

SPECIAL RESOLUTION NO. 80, 2005 – recognizes Coach Donald R. Stout

SPECIAL RESOLUTION NO. 81, 2005 – recognizes Imam W. Deen Mohammed

SPECIAL RESOLUTION NO. 82, 2005 – approves the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Grant Funds

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of November 14 and 21, 2005. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

President Talley passed the gavel to Vice President Sanders.

PROPOSAL NO. 663, 2005. The proposal, sponsored by Councillors Borst and Talley, honors John S. Myrland of the Greater Indianapolis Chamber of Commerce. Councillor Borst read the proposal and presented Mr. Myrland with a copy of the document and a Council pin. Councillor Talley thanked Mr. Myrland for his service to Indianapolis and the difference he has made to the lives of its people. Mr. Myrland stated that it was an honor to work with people committing their personal time to public service. Councillor Borst moved, seconded by Councillor Talley, for adoption. Proposal No. 663, 2005 was adopted by a unanimous voice vote.

Proposal No. 663, 2005 was retitled SPECIAL RESOLUTION NO. 83, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 83, 2005

A SPECIAL RESOLUTION honoring John S. Myrland.

WHEREAS, John S. Myrland joined the Greater Indianapolis Chamber of Commerce in 1980 as Vice President of Government Affairs and has led the Chamber since 1991 as its President; and

WHEREAS, John has served his community as a member of many boards including the Center for Leadership Development, Greater Indianapolis Progress Committee, Indiana University-Purdue University at Indianapolis Advisory Board, Indianapolis Convention and Visitors Association, Indianapolis Zoo, Wishard Memorial Foundation, Indianapolis Indians, and the Oaks Academy; and

WHEREAS, John has also volunteered as Vice Chairman of Operations for the 2002 World Basketball Championship, served on several mayoral task forces, and volunteered at his church (St. Luke's United Methodist); and

WHEREAS, John has been a major force in Indianapolis' rise to a world-class city by commissioning studies, advocating change, and speaking for the business community; and

WHEREAS, John is retiring this month from the Greater Indianapolis Chamber of Commerce to pursue a new career in the Methodist Church; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates and thanks John S. Myrland for his 25 years of service to the business community and for helping our city transform into one of America's greatest cities.

SECTION 2. The Council wishes the best for John and his wife, Nancy, in his calling to the Methodist church, his love of baseball, and spending time with Ernie and Luke, their beloved Labrador Retrievers.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 664, 2005. The proposal, sponsored by Councillor Talley, recognizes the Indianapolis Medical Society Foundation's Project Health Week. Councillor Talley read the proposal and presented representatives with copies of the document and Council pins. Dr. John Werner, president of the society, thanked the Council for the recognition and explained the free care provided by the society. Councillor Talley moved, seconded by Councillor Cockrum, for adoption. Proposal No. 664, 2005 was adopted by a unanimous voice vote.

Proposal No. 664, 2005 was retitled SPECIAL RESOLUTION NO. 85, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 85, 2005

A SPECIAL RESOLUTION recognizing the Indianapolis Medical Society Foundation's Project Health Week.

WHEREAS, The Indianapolis Medical Society Foundation's Project Health was established to help low income, uninsured Marion County residents find healthcare through an army of volunteer doctors; and

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WHEREAS, Since enrolling the first patient in May of 2004, over \$3 million in care has been donated by nearly 650 volunteer physicians: Clarian Health (Methodist and IU Hospitals), Community Health Network, St. Vincent Hospital, and other health care providers; and

WHEREAS, Established in 1990, the Indianapolis Medical Society Foundation has contributed more than \$500,000 to allied health scholarships, sponsored a fundraiser to build a handicapped-accessible playground at the Indianapolis Zoo, sponsored education programs, and has been devoted to the health of Indianapolis citizens; and

WHEREAS, Project Health is an unprecedented, collaborative effort of individuals and organizations who have united to improve the overall health of Marion County citizens; and

WHEREAS, Indianapolis Medical Society members are part of every hospital staff, healthcare organization, and healthcare initiative in the city; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council declares the week of December 18-24 "Indianapolis Medical Society Foundation's Project Health Week."

SECTION 2. The Council extends its appreciation to supporters and volunteers for their commitment to improving the health of the citizens in our community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 665, 2005. The proposal, sponsored by Councillors Abdullah, Talley, Gray, Pfisterer and Cockrum, recognizes West Indy's 7th Annual Steak n' Shake's Breakfast with Santa. Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Marshall Lewis, organizer of the event, thanked the Council for the recognition and presented members of the Council with a small gift from sponsors. Councillor Pfisterer moved, seconded by Councillor Abdullah, for adoption. Proposal No. 665, 2005 was adopted by a unanimous voice vote.

Proposal No. 665, 2005 was retitled SPECIAL RESOLUTION NO. 86, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 86, 2005

A SPECIAL RESOLUTION recognizing West Indy's 7th Annual Steak n' Shake's Breakfast with Santa.

WHEREAS, for the past seven years, the Indiana Division of Steak n' Shake Restaurants and many other local businesses and individuals have hosted a special event known as Breakfast with Santa; and

WHEREAS, the annual occasion has given much joy to over 16,500 children and their families to date since its inception; and

WHEREAS, the 2005 Breakfast with Santa will be held Saturday, December 17th at the Wayne Township Fire Department Conference Center on North High School Road; and

WHEREAS, Breakfast with Santa sponsors already signed up for this year's event include: 1st R.O.W. Johnson, LLC; Channel 16; Costumes by Margie; Lynn and Rich Elson; Hands On Interpreting Service; Indianapolis Public Schools; Indy 500; IUPUI/MOM Project; Long's Bakery; Popeye's Chicken (West 38th Street); Marion County Sheriff's Department; Meijer; Olive Garden; Papa Murphy's Pizza; Prairie Farms; The Recovery Room; Regal Cinemas (Eagle Highlands); Sam's Club (Rockville Road); Steak n' Shake; Toys for Tots; U-Haul; Wayne Township Schools; Wayne Township Fire Department; Wayne Township Trustee's Office; Indianapolis Police Books & Badges; Dr. Michael Barbara, Dr. Jeff Billows; Methodist Hospital/Clarian Health; and Art Jordan and Staff/Wake Up Indianapolis; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends all who make the annual Breakfast with Santa event possible, especially Marshall Lewis (the founder of this event) and the Friends of Santa Breakfast Committee: Chris Walker, Tempie Jones, Gloria Hubbuch, Shenia Suggs, Nicole Watkins-Powell, Beth Gulley, Vicki Walker, John Moews, Mark Tanier, Sara Leutholv, Bev Welch, Debbie Chenoweth, Carol Schuhler, Kim Boyd, Phil and Claudia Poulos, James Todd, Alfonzo Tyler, Kathy Sample, and Stephanie Murphy.

SECTION 2. For all of the time, expense, and energy that goes into planning and hosting this breakfast for the children, a sweet smile from a little child at Christmas is all the reward necessary for a job well done.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 666, 2005. The proposal, sponsored by Councillor Gray, recognizes Indianapolis Urban League's 40th Anniversary. Councillor Gray read the proposal and presented representatives with copies of the document and Council pins. Joe Slash and Karen White, representatives, thanked the Council for the recognition. Councillor Gray moved, seconded by Councillor Abdullah, for adoption. Proposal No. 666, 2005 was adopted by a unanimous voice vote.

Proposal No. 666, 2005 was retitled SPECIAL RESOLUTION NO. 87, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 2005

A SPECIAL RESOLUTION recognizing the Indianapolis Urban League's 40th Anniversary.

WHEREAS, the Indianapolis Urban League was founded in the fall of 1965 by the late Thomas W. Binford and the late Henry J. Richardson, Jr. as a non-profit, non-partisan, interracial community-based social service/civil rights organization. The late Sam H. Jones served as President and CEO from 1966 to 2002. This local affiliate is one of 105 affiliates across the nation that is associated with the National Urban League; and

WHEREAS, in the 1970's the Indianapolis Urban League provided one of the first minority business development programs of its kind in the city and state. The Business Development Center provided services to thousands of minority business venture clients by helping them with business plans and procedures to acquire venture capital for businesses. A local Outreach Center was established in 1981 through 1984 and served as a business venture project that focused on creating opportunities for minority-owned businesses to bid on contracts submitted by the U.S. Department of Transportation - Federal Railroad Administration. In addition, the League established a Human Relations Consortium that worked with parents and students as the city prepared for the desegregation of schools in the 1970's and was one of the first minority organizations in the city to establish and maintain weekly radio and television communicational programs.

WHEREAS, the mission of the Indianapolis Urban League is to assist African-Americans, other minorities, and disadvantaged persons to achieve social and economic equality. It continues to implement this mission through advocacy, bridge building among the races, direct human services, self-sufficiency programs and initiatives to achieve racial tolerance and racial equity; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council heartily congratulates the Indianapolis Urban League on its 40th Anniversary

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SECTION 2. The Council especially recognizes the service and dedication of Joseph A. Slash, President and CEO, and Karen Wright, Chairman of the Board and continues to support the Indianapolis Urban League's movement to work toward the empowerment of its constituents.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 669, 2005. The proposal, sponsored by Councillor Randolph, recognizes the Brebeuf Jesuit Braves girls' volleyball team on their second state championship win. Councillor Randolph read the proposal and presented representatives with copies of the document and Council pins. Kim Kristoff, member, thanked the Council for the recognition. Councillor Randolph moved, seconded by Councillor Bowes, for adoption. Proposal No. 669, 2005 was adopted by a unanimous voice vote.

Proposal No. 669, 2005 was retitled SPECIAL RESOLUTION NO. 88, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 88, 2005

A SPECIAL RESOLUTION recognizing the Brebeuf Jesuit Braves girls' volleyball team on their second state championship win.

WHEREAS, Brebeuf Jesuit completed a stellar 37-1 record with a hard-fought four-game victory over Boonville in the Class 3A championship at Hinkle Fieldhouse in Indianapolis, recording their second state championship in three years; and

WHEREAS, the Braves led the opening game 24-21, but Boonville responded with five straight points to take a 1-0 lead in the match and prevail with a final score of 25-24. Brebeuf dominated the second and third games, recording attack percentages of .423 in game two and .364 in game three; and

WHEREAS, Game four was tight the entire way, with sophomore middle blocker Claire McElheny providing the final point with her twelfth kill of the evening. McElheny led all players with four block assists, adding two service aces; and

WHEREAS, Senior middle blocker Kim Kristoff recorded a match-high 17 kills, adding a solo block, two block assists, and a .312 hitting percentage. Senior setter Sam Gray had 45 assists, two service aces, and three block assists for the Braves. Seniors Sally Fischer and Sarah Kish anchored the Brebeuf defense with a match-high 15 digs apiece. Junior Erin Wareham led all players with six service aces; and

WHEREAS, Brebeuf Jesuit senior Sarah Kish is the 2005 winner of the IHSAA Class 3A Mental Attitude Award presented by members of the IHSAA Executive Committee. Kish becomes the second Brave to receive the honor. Kish is an all-around athlete who has overcome surgery on her lower leg (where a rod was inserted and remains) and earned nine varsity letters (four in volleyball, three in softball and two in basketball), including the school's "Freshman of the Year" in athletics award in 2002-03; and

WHEREAS, in addition to her athletic success, Kish has earned High Honor Roll status each semester at Brebeuf, compiling a 3.84 cumulative grade point average while taking advanced placement and honors classes. Kish will continue her academic career at Purdue next fall, majoring in engineering; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the Brebeuf Jesuit Braves girls' volleyball team on their second state championship win.

SECTION 2. The Council extends its congratulations to principal Andrew F. Noga, Coach Brian Murray and all the members of the 2005 Braves championship team and wishes them continued success in future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 467, 2005. Councillor Bowes reported that the Community Affairs Committee heard Proposal No. 467, 2005 on November 28, 2005. The proposal, sponsored by Councillors Sanders, Boyd, Conley, Mansfield, Abdullah, Brown, Oliver, Mahern, Gray, Talley and Moriarty Adams, endorses the Justice for Janitors Campaign and urges use of responsible contractors. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Bowes moved, seconded by Councillor Sanders, for adoption. Proposal No. 467, 2005 was adopted on the following roll call vote; viz:

17 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Langsford, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Plowman, Sanders, Talley
9 NAYS: Cain, Cockrum, Day, Keller, McWhirter, Pfisterer, Salisbury, Schneider, Speedy
2 NOT VOTING: Borst, Randolph
1 ABSENT: Bradford

Councillor Gibson stated that he voted to support this proposal, but with reservations. He said that in order to truly eradicate poverty, more attention needs to be given to skill development and education.

Councillor Sanders stated that as the fiscal body for the City, it is their responsibility to insure that jobs can help to sustain families. She asked that workers stand and be recognized.

Proposal No. 467, 2005 was retitled COUNCIL RESOLUTION NO. 84, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 84, 2005

A COUNCIL RESOLUTION endorsing the Justice for Janitors Campaign and urging use of responsible contractors.

WHEREAS, Indianapolis is struggling to attract and retain good jobs that will drive tomorrow's economy and build stronger neighborhoods and communities; and

WHEREAS, Indianapolis' service sector now drives job growth; and

WHEREAS, by raising standards for janitors, Indianapolis can in effect create over 1,000 good jobs; and

WHEREAS, most janitors are paid between \$5.25 and \$7.00 per hour, most positions are part time, and almost no janitors receive health or other benefits through their jobs; and

WHEREAS, Service Employees International Union's Justice for Janitors Campaign has succeeded in working with janitors, cleaning contractors, building owners, and the broader political, faith, and business communities across the country to improve the standards of living for janitors; and

WHEREAS, most Indianapolis janitors live in neighborhoods where the poverty crisis is the greatest; and

WHEREAS, Indianapolis janitors must make impossible choices between basic necessities like rent, food, and medical care; and

WHEREAS, the contract cleaning industry in Indianapolis, as it currently functions, contributes adversely to the health care crisis in our communities; and

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WHEREAS, a responsible contractor is defined as a contractor that actively and positively participates in a market-wide process to raise standards for janitors without seeking to intimidate or punish workers, and there are several responsible contractors operating in the Greater Indianapolis office market; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City of Indianapolis endorses the goals of this campaign and the use of responsible contractors.

SECTION 2. Further be it resolved that the City of Indianapolis recognizes the contributions of janitors to the city and the dignity of their work, both in their labors to keep our city clean and safe and in their courageous and honorable struggle for better jobs and a more just local economy.

SECTION 3. Further be it resolved that the City of Indianapolis urges building owners to take immediate measures to ensure that their buildings are cleaned by responsible contractors who have committed to working positively with their employees toward the goal of reforming the cleaning industry in Indianapolis.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 519, 2005. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 519, 2005 on November 16, 2005. The proposal, sponsored by Councillor Gray, appoints Terry Buford to the Marion County Community Corrections Advisory Board. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Bray, for adoption. Proposal No. 519, 2005 was adopted on the following roll call vote; viz:

23 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gray, Keller, Langsford, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Talley

0 NAYS:

5 NOT VOTING: Gibson, Mahern, Plowman, Schneider, Speedy

1 ABSENT: Bradford

Proposal No. 519, 2005 was retitled COUNCIL RESOLUTION NO. 85, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 85, 2005

A COUNCIL RESOLUTION appointing Terry Buford to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Terry Buford

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 623, 2005. Introduced by Councillors Nytes and Brown. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which authorizes the issuance of and appropriates the proceeds of revenue bonds or bond anticipation notes issued in an amount not to exceed \$20,000,000 for the purpose of providing funds to pay the cost of acquisition, additions, renovations, repairs and improvements to certain buildings and facilities of the City and County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 624, 2005. Introduced by Councillors Talley and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Earl S. Morgan, Sr. as the Director of the Department of Administration and Equal Opportunity"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 625, 2005. Introduced by Councillors Talley and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Jane Henegar as the Deputy Mayor for Policy"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 626, 2005. Introduced by Councillors Talley and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Steven L. Campbell as the Deputy Mayor for Public and Neighborhood Affairs"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 627, 2005. Introduced by Councillors Moriarty Adams and Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a metropolitan law enforcement agency through the consolidation of the Indianapolis Police Department and the county police force of the Marion County Sheriff's Department and establishes transition advisory entities and makes other provisions to ensure that such consolidation proceeds in an orderly fashion"; and the President referred it to the Law Enforcement Consolidation Committee.

PROPOSAL NO. 628, 2005. Introduced by Councillors Talley and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 629, 2005. Introduced by Councillors Sanders and Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which creates a county identification security protection fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 630, 2005. Introduced by Councillors Talley and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Joseph L. B. Wynns as the Director of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 631, 2005. Introduced by Councillors Talley and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Robert B. Turner as the Director of the Department of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 632, 2005. Introduced by Councillors Moriarty Adams and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$29,841 in the 2005 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to pay court line deputy salaries while in training using the Department of Justice Block Grant #9"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 633, 2005. Introduced by Councillors Moriarty Adams and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$71,262 in the 2005 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to pay salaries for two special deputies in Crime Prevention using Justice Assistance Funding"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 634, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$2,236 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to purchase training supplies through Block Grant 8"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 635, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$5,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to pay salary expenses of a service referral coordinator working for the Family Court Project, funded by the Enromyson Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 636, 2005. Introduced by Councillors Talley and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of James A. Garrard as the Director of the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 637, 2005. Introduced by Councillor Randolph. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Walden Trace Subdivision (District 1)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 638, 2005. Introduced by Councillor Randolph. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Walden Glen Subdivision (District 1)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 639, 2005. Introduced by Councillor Mansfield. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Crooked Creek Villages East, Sections 1, 2 and 3 (District 2)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 640, 2005. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for 88th Street and Driftwood Drive, Glen Hill Drive and Rosewood Lane, and 88th Street and Rosewood Lane (District 3)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 641, 2005. Introduced by Councillor Cain. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for

Barnstable Court and Graham Road (District 5)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 642, 2005. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Shadow Wood Drive between Shadow Wood Court and Reed Road (District 6)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 643, 2005. Introduced by Councillor Nytes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Fairfield Avenue from Central Avenue to Watson Road (District 9)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 644, 2005. Introduced by Councillor Abdullah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a bus stop zone on Illinois Street near New York Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 645, 2005. Introduced by Councillor Abdullah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a bus stop on Illinois Street between North Street and Walnut Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 646, 2005. Introduced by Councillor Abdullah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Illinois Street near 19th Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 647, 2005. Introduced by Councillor Abdullah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Pennsylvania Street near 23rd Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 648, 2005. Introduced by Councillors Keller and Day. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on State Avenue from Pleasant Run Parkway South Drive to Washington Street (Districts 16 and 20)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 649, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on 23rd Street from Bolton Avenue to Arlington Avenue (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 650, 2005. Introduced by Councillor Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Bradford Trace Subdivision, Sections 1, 2 and 3 (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 651, 2005. Introduced by Councillor Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Tealpoint Subdivision, Sections 1 & 2 (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 652, 2005. Introduced by Councillor Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Lawrence Lakes Subdivision, Section 3 (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 653, 2005. Introduced by Councillor Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Bradford Trace Subdivision, Sections 4, 5 & 6 (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 654, 2005. Introduced by Councillor Mahern. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at the intersection of Drover Street, River Avenue and White River Parkway West Drive (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 655, 2005. Introduced by Councillor Mahern. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions on Sycamore Street between Meridian Street and Union Street (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 656, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Southport Green Subdivision, Section 1 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 657, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Wildcat Run Subdivision, Section 11 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 658, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Woodland Trails Subdivision, Sections 1 & 2 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 659, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Glen Ridge Commons Subdivision, Section 1 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 660, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Glen Ridge Estates Subdivision, Sections 1 & 2 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 661, 2005. Introduced by Councillor Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code regarding certain expense reimbursement fees regarding applications for cable franchises"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 662, 2005. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Sec. 616-204 of the Code regarding smokefree exceptions to add a new section"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 667, 2005. Introduced by Councillor Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which establishes an investigating committee of the council for the purpose of investigating the policies and expenditures of the Marion County Office of Family and Children from funds supported by a county tax levy"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 668, 2005. Introduced by Councillors Boyd and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Dr. Eugene White to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PUBLIC HEARING

Vice President Sanders stated that President Talley is still out of the room and she asked for consent to move Proposal No. 589, 2005 later in the agenda so that as committee chair she can make the report when the President returns. Consent was given.

PROPOSAL NO. 594, 2005. Councillor Bowes reported that the Community Affairs Committee heard Proposal No. 594, 2005 on November 28, 2005. The proposal, sponsored by Councillors Sanders and Talley, approves temporary tax anticipation borrowing in the County General Fund and the County Family and Children's Fund in anticipation of taxes levied in 2005, collectible in 2006. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Vice President Sanders called for public testimony at 8:12 p.m. There being no one present to testify, Councillor Bowes moved, seconded by Councillor Boyd, for adoption. Proposal No. 594, 2005 was adopted on the following roll call vote; viz:

22 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Sanders

1 NAY: Salisbury

5 NOT VOTING: Langsford, Plowman, Schneider, Speedy, Talley

1 ABSENT: Bradford

Proposal No. 594, 2005 was retitled FISCAL ORDINANCE NO. 164, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 164, 2005

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund and the County Family and Children's Fund ("Funds") during the period from January 1, 2006, through December 31, 2006, in anticipation of current taxes levied in the year 2005 and collectible in the year 2006 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

December 12, 2005

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to pay current expenses from the County General Fund and the County Family and Children's Fund pending the receipt of Taxes actually levied in 2005 and in the process of collection in 2006, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

A. that there will be insufficient funds in the County General Fund to meet the current expenses payable from the County General Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County General Fund will collectively amount to more than One Hundred Thirteen Million, Five Hundred Eighty-one Thousand, Nine Hundred Twenty-nine Dollars (\$113,581,929) and the interest cost of making temporary loans for the County General Fund; and

B. that there will be insufficient funds in the County Family and Children's Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Family and Children's Fund will collectively amount to more than Forty-one Million Nine Hundred Seven Thousand, Eight Hundred Seventy-two Dollars (\$41,907,872) and the interest cost of making temporary loans for the County Family and Children's Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds actually levied for the year 2005 and in the course of collection for the year 2006; now therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the County General Fund of the County in the maximum principal amount of One Hundred Thirteen Million, Five Hundred Eighty-one Thousand, Nine Hundred Twenty-nine Dollars (\$113,581,929) in anticipation of Taxes for the Fund for the year 2006, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County General Fund from the June and December 2006 distributions of Taxes for the County General Fund, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Family and Children's Fund of the County in the maximum principal amount of Forty-one Million Nine Hundred Seven Thousand, Eight Hundred Seventy-two Dollars (\$41,907,872) in anticipation of Taxes for the Fund for the year 2006, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County Family and Children's Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Family and Children's Fund from the June and December 2006 distributions of Taxes for the County Family and Children's Fund, to the County Family and Children's Fund for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 4 and subsection (b). The Warrants for each Fund may be issued in one series, designated Series 2006 Warrants ("Series 2006 Warrants") or in two series, designated Series 2006A and Series 2006B ("Series A Warrants" and "Series B Warrants", respectively). The Series 2006 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 2006 for that Fund. The Series B Warrants for each Fund may be issued in an amount not to exceed the amount of the December 2006 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than on June 30, 2006. All Series B Warrants and Series 2006 Warrants shall mature and be payable not later than December 31, 2006. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 4. (a) The Auditor may sell the Warrants in one or more series as set forth in Section 3 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and The Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Auditor may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor and Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.

SECTION 5. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

MARION COUNTY
TAX ANTICIPATION TIME WARRANT, SERIES 2006_____
(_____ FUND)

On the _____ day of _____, 2006, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of _____ Dollars (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 2005, and payable from the [first installment] [second installment] for the year 2006 ("Taxes"), which Taxes are now in course of collection for the County _____ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of _____ Dollars (\$ _____), evidencing a temporary loan in anticipation of the Taxes for the County _____ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 2005, for the purpose of providing funds for the County _____ Fund, in compliance with IC 36-2-6.

December 12, 2005

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County _____ Fund for the year of 2005, payable in the [first installment] [second installment] for the year 2006, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this _____ day of _____, 2006.

THE BOARD OF COMMISSIONERS OF
MARION COUNTY, INDIANA

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

COUNTERSIGNED:

By: _____
Mayor, City of Indianapolis

ATTEST:

By: _____
Auditor, Marion County

EXHIBIT A
(Advances)
[End of Warrant Form]

SECTION 6. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) *No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.*

(d) *The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.*

(e) *The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.*

(f) *It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.*

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 596, 2005. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 596, 2005 on November 17, 2005. The proposal, sponsored by Councillors Gray and Keller, transfers and appropriates \$14,324 in the 2005 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to pay for staff and related expenses for the K-Plus extended day programming at IPS Christian Park School #82, financed by transfers within characters and a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Talley called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Gray moved, seconded by Councillor Keller, for adoption. Proposal No. 596, 2005 was adopted on the following roll call vote; viz:

22 YEAS: *Abduallah, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider*

0 NAYS:

6 NOT VOTING: *Borst, Langsford, Plowman, Randolph, Speedy, Talley*

1 ABSENT: *Bradford*

Proposal No. 596, 2005 was retitled FISCAL ORDINANCE NO. 165, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 165, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) transferring and appropriating Fourteen Thousand Three Hundred Twenty Four Dollars (\$14,324) in the Non Lapsing Federal Grants Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Non Lapsing Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the

increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to pay for staff and related expenses for the K-Plus extended day programming at IPS Christian Park School #82, financed by a federal grant.

SECTION 2. The sum of Fourteen Thousand Three Hundred Twenty Four Dollars (\$14,324) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	13,369
3. Other Services and Charges	<u>955</u>
TOTAL INCREASE	14,324

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON LAPSING FEDERAL GRANTS FUND</u>
2. Supplies	200
4. Capital Outlay	<u>450</u>
TOTAL DECREASE	650

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>13,674</u>
TOTAL REDUCTION	13,674

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 602, 603, 605, 607 and 608, 2005 on November 16, 2005. She asked for consent to vote on these proposals together. Consent was given. PROPOSAL NO. 602, 2005. The proposal, sponsored by Councillors Moriarty Adams and Talley, approves an increase of \$1,641,000 in the 2005 Budget of the Marion County Sheriff's Department (Sheriff's Civil Fees Fund) to reimburse the City of Indianapolis for fuel provided to Sheriff's Department vehicles, financed by fund balance. PROPOSAL NO. 603, 2005. The proposal, sponsored by Councillors Moriarty Adams and McWhirter, approves an increase of \$4,097,357 in the 2005 Budget of the Department of Public Safety, Emergency Management and Police Divisions (Non-Lapsing Federal Grants Funds) to implement the 2nd year of a Homeland Security First Responder grant, funded by a grant from the US Department of Homeland Security, State Domestic Preparedness Equipment Program. PROPOSAL NO. 605, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$146,800 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to reimburse local law enforcement agencies participating in DUI and seatbelt enforcement programs, and to fund a program to combat aggressive driving at high crash areas on Marion County's interstate system, financed by grants from the National Highway Traffic Safety Administration and the Governor's Council on Impaired and Dangerous Driving. PROPOSAL NO. 607, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$75,468 in the 2005 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to employ a staff research analyst and to fund a consulting contract to provide for data collection between all criminal justice agencies serving Marion County, financed by a federal grant allocated by the Indiana Criminal Justice Institute. PROPOSAL NO. 608, 2005. The proposal, sponsored by Councillors Moriarty Adams and Borst, approves an increase of \$3,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to assist with conference fees for the "Symposium on Juvenile Alternatives to Incarceration and the Protection of Abused and Neglected Children," financed by

a grant from the Indiana Department of Education. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Vice President Sanders returned the gavel to President Talley.

President Talley called for public testimony at 8:28 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Borst, for adoption. Proposal Nos. 602, 603, 605 607 and 608, 2005 were adopted on the following roll call vote; viz:

24 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Talley

0 NAYS:

4 NOT VOTING: Langsford, Plowman, Randolph, Speedy

1 ABSENT: Bradford

Proposal No. 602, 2005 was retitled FISCAL ORDINANCE NO. 166, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 166, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 138, 2004) appropriating One Million Six Hundred Forty One Dollars (\$1,641,000) in the Sheriff's Civil Fees Fund for purposes of the Marion County Sheriff's Department and reducing the unappropriated and unencumbered balance in the Sheriff's Civil Fees Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (b) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Sheriff's Department to reimburse the City of Indianapolis for fuel provided to Sheriff's Department vehicles, financed by fund balance.

SECTION 2. The sum of One Million Six Hundred Forty One Dollars (\$1,641,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SHERIFF'S DEPARTMENT</u>	<u>SHERIFF'S CIVIL FEES FUND</u>
2. Supplies	<u>1,641,000</u>
TOTAL INCREASE	1,641,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>SHERIFF'S CIVIL FEES FUND</u>
Unappropriated and Unencumbered	
Sheriff's Civil Fees Fund	<u>1,641,000</u>
TOTAL REDUCTION	1,641,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 603, 2005 was retitled FISCAL ORDINANCE NO. 166, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 167, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Three Million Ninety Seven Thousand Three Hundred Fifty Seven Dollars (\$3,097,357) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Emergency Management and Police divisions, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management and Police divisions, to implement the 2nd year of a Homeland Security Urban Area Security Initiatives (UASI) grant, funded by a grant from the US Department of Homeland Security. This grant includes completion of the Medtronics Project with Hamilton and Marion County Fire and EMS agencies; cyber-security projects; evacuation chairs for disabled individuals in the city-county building, armored vehicles for the Sheriff's Department and Indianapolis Police Department; personal protection equipment for Marion County first responders, fiber optic and voice redundancy infrastructure and regional terrorism training programs.

SECTION 2. The sum of Three Million Ninety Seven Thousand Three Hundred Fifty Seven Dollars (\$3,097,357) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

EMERGENCY MANAGEMENT /PLANNING DIV

NON-LAPSING FEDERAL GRANTS FUND

2. Supplies	456,200
3. Other Services and Charges	1,410,357
4. Capital Outlay	<u>230,800</u>
TOTAL INCREASE	2,097,357

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

NON-LAPSING FEDERAL GRANTS FUND

1. Personal Services	<u>1,000,000</u>
TOTAL INCREASE	1,000,000

SECTION 4. The said additional appropriation is funded by the following reductions:

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>3,097,357</u>
TOTAL REDUCTION	3,097,357

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 605, 2005 was retitled FISCAL ORDINANCE NO. 166, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 168, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional One Hundred Forty Six Thousand Eight Hundred Dollars (\$146,800) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State & Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to reimburse local law enforcement agencies participating in DUI and seat belt enforcement programs, and to fund a program to combat aggressive driving at high crash areas on Marion County's interstate system, financed by grants from the National Highway Traffic Safety Administration and the Governor's Council on Impaired and Dangerous Driving.

SECTION 2. The sum of an additional One Hundred Forty Six Thousand Eight Hundred Dollars (\$146,800) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	37,000
2. Supplies	17,410
3. Other Services and Charges	<u>92,390</u>
TOTAL INCREASE	146,800

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>146,800</u>
TOTAL REDUCTION	146,800

SECTION 5. There is no local match required.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 607, 2005 was retitled FISCAL ORDINANCE NO. 166, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 169, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Seventy Five Thousand Four Hundred Sixty Eight Dollars (\$75,468) in the State and Federal Grant Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State & Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to employ a staff research analyst and to fund a consulting contract to provide for data collection between all criminal justice agencies serving Marion County, financed by a federal grant allocated by the Indiana Criminal Justice Institute (ICJI). Upon the approval of this proposal, there will be a total increase of one (1) full time FTE in 2006.

SECTION 2. The sum of an Seventy Five Thousand Four Hundred Sixty Eight Dollars (\$75,468) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	31,704
2. Supplies	558
3. Other Services and Charges	40,468
4. Capital Outlay	<u>2,738</u>
TOTAL INCREASE	75,468

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>75,468</u>
TOTAL REDUCTION	75,468

SECTION 5. The required \$25,400 match of the ICJI grant will be funded from the approved 2005 and 2006 Justice Agency budgets (Law Enforcement Fund and the County General Fund.)

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 608, 2005 was retitled FISCAL ORDINANCE NO. 166, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 170, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating Three Thousand Dollars (\$3,000) in the State and Federal Grants Fund for purposes of the Marion Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court to assist with conference fees for the "Symposium on Juvenile Alternatives to Incarceration and the Protection of Abused and Neglected Children", financed by a grant from the Indiana Department of Education.

SECTION 2. The sum of Three Thousand Dollars (\$3,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>3,000</u>
TOTAL INCREASE	3,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>3,000</u>
TOTAL REDUCTION	3,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 589, 2005. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 589, 2005 on November 29, 2005. The proposal, sponsored by Councillors Sanders and Langsford, approves temporary tax anticipation borrowing for Police General, Fire General and Park General Funds in anticipation of current taxes levied in 2005, collectible in 2006. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor McWhirter asked if this is money being used in 2005 and paid back with 2006 taxes. Katie Aeschliman, Bond Bank, stated that these are strictly 2006 revenues and only for 2006 appropriations and have nothing to do with 2005.

Councillor Nytes said that this is the 35th time the City has borrowed to help with cash flow purposes. She said that if the City had large fund balances, they would not need to do this borrowing. Because taxes are only paid in May and November, it is hard to manage the budget waiting for these revenues.

President Talley called for public testimony at 8:35 p.m. There being no one present to testify, Councillor Sanders moved, seconded by Councillor Langsford, for adoption. Proposal No. 589, 2005 was adopted on the following roll call vote; viz:

22 YEAS: Abdullallah, Borst, Bowes, Boyd, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Talley

0 NAYS:

6 NOT VOTING: Brown, Keller, Langsford, Plowman, Randolph, Speedy

1 ABSENT: Bradford

Proposal No. 589, 2005 was retitled FISCAL ORDINANCE NO. 171, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 171, 2005

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated City Police Force Account, the Consolidated City Fire Force Account and the Park General Fund during the period January 1, 2006, through December 31, 2006, in anticipation of current taxes levied in the year 2005 and collectible in the year 2006 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

December 12, 2005

WHEREAS, the Controller has represented and the City-County Council now finds:

A. that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from such Account prior to the June and December 2006 distributions of Taxes levied for such Account, and the June and December 2006 distributions of Taxes to be collected for the Consolidated City Police Force Account will collectively amount to more than Forty-two Million, Four Hundred Thousand, Nine Hundred Seventy-four Dollars (\$42,400,974) and the interest cost of making temporary loans for the Consolidated City Police Force Account;

B. that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from such Account prior to the June and December 2006 distributions of Taxes levied for such Account, and the June and December 2006 distributions of Taxes to be collected for the Consolidated City Fire Force Account will collectively amount to more than Thirty-five Million, Eleven Thousand, Eight Hundred Four Dollars (\$35,011,804) and the interest cost of making temporary loans for the Consolidated City Fire Force Account; and

C. that there will be insufficient funds in the Park General Fund to meet the current expenses payable from such Fund prior to the June and December 2006 distributions of Taxes levied for such Fund, and the June and December 2006 distributions of Taxes to be collected for the Park General Fund will collectively amount to more than Eighteen Million, Forty-nine Thousand, Two Hundred Nineteen Dollars (\$18,049,219) and the interest cost of making temporary loans for the Park General Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds and Accounts in anticipation of Taxes for these Funds and Accounts actually levied for the year 2005 and in the course of collection for the year 2006;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Police Force Account of the City in the maximum principal amount of Forty-two Million, Four Hundred Thousand, Nine Hundred Seventy-four Dollars (\$42,400,974) in anticipation of Taxes for the Account for the year 2006, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Police Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Police Force Account from the June and December 2006 distributions of Taxes for the Consolidated City Police Force Account, to the Consolidated City Police Force Account, the 2006 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and the Consolidated City Police Force Account, 2006 Budget Fund No. 160, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Fire Force Account of the City in the maximum principal amount of Thirty-five Million, Eleven Thousand, Eight Hundred Four Dollars (\$35,011,804) in anticipation of Taxes for the Account for the year 2006, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Consolidated City Fire Force Account and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Fire Force Account from the June and December 2006 distributions of Taxes for the Consolidated City Fire Force Account to the payment of the principal of the Consolidated City Fire Force Account, the 2006 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 2006 Budget Fund No. 161, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The City is authorized to borrow on temporary loans for the use and benefit of the Park General Fund of the City in the maximum principal amount of Eighteen Million, Forty-nine Thousand, Two Hundred Nineteen Dollars (\$18,049,219) in anticipation of Taxes for the Fund for the year 2006, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Park General Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Park General Fund from the June and December 2006 distributions of Taxes for the Park General Fund to the Park General Fund, the 2006 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Park General Fund 2006 Budget Fund No. 17, Character 03, Other Services and Charges, Interest (Temporary

Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 5. The Warrants for each Fund or Account may be issued in one series, designated Series 2006 Warrants ("Series 2006 Warrants") or in two series, designated Series 2006A and Series 2006B ("Series A Warrants" and "Series B Warrants", respectively). The Series 2006 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 2006 for that Fund or Account. The Series B Warrants for each Fund or Account may be issued in amount not to exceed the amount of the December 2006 distribution of Taxes for that Fund or Account. All Series A Warrants shall mature and be payable not later than June 30, 2006. All Series B Warrants and Series 2006 Warrants shall mature and be payable not later than December 31, 2006. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) *The interest rate on the Warrants will be determined as provided in Section 5. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.*

SECTION 5. (a) The Controller may sell the Warrants in one or more Series as set forth in Section 4 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) *The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.*

(c) *The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.*

SECTION 6. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT, SERIES 2006
(_____ [FUND] [ACCOUNT])

On the _____ day of _____, 2006, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer, ex officio Treasurer of the City, the sum of ____

December 12, 2005

_____ Dollars (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 2005, and payable in the [first installment] [second installment] for the year 2006 ("Taxes"), which Taxes are now in course of collection for the _____ of the City, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \$ _____ evidencing a temporary loan in anticipation of the Taxes for the _____.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 2005, for the purpose of providing funds for the _____ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the _____ of the City for the year of 2005, payable in the [first installment] [second installment] for the year 2006, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this _____ day of _____, 2006.

CITY OF INDIANAPOLIS

By: _____
Mayor, City of Indianapolis

COUNTERSIGNED:

By: _____
Controller, City of Indianapolis

ATTEST:

By: _____
Clerk, City of Indianapolis

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 590, 2005. Councillor Sanders reported that the Administration and Finance Committee The proposal, sponsored by Councillor Nytes, transfers and appropriates \$225,000 in the 2005 Budget of Marion County Community Corrections (Pre-Trial Conditional Release Fund) to pay operating costs and \$11,000 in the 2005 Budget of the Marion County Treasurer (County General Fund) to pay for personal services, and reduces the budgets of various agencies by \$3,926,955 to fund these transfers and increase the County General Fund balance. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Nytes moved, seconded by Councillor Gibson, to amend the amount out of the Lawrence Township Assessor's Property Reassessment Fund to \$12,000 instead of \$9,000. The proposal was amended by a unanimous voice vote.

Councillor Cockrum asked if all elected officials have agreed to the changes as discussed in the amendment. Councillor Sanders said that they worked closely with the agencies to come up with these amounts.

Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 590, 2005 was adopted on the following roll call vote; viz:

25 YEAS: *Abduallah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Talley*

0 NAYS:

3 NOT VOTING: *Plowman, Randolph, Speedy*

1 ABSENT: *Bradford*

Proposal No. 590, 2005 was retitled FISCAL ORDINANCE NO. 172, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 172, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinances No. 137, 138 and 139, 2004) appropriating \$225,000 in the Pre-Trial Conditional Release Fund for purposes of the Community Corrections, appropriating \$38,000 in the Clerk's Perpetuation Fund for purposes of the Marion County Clerk's Office, appropriating \$58,624 in the HAVA Reimbursement Fund for purposes of the Marion County Clerk's Office, transferring and appropriating \$8,480 in the Property Reassessment Fund for purposes of the Decatur Township Assessor, transferring and appropriating \$12,000 in the Property Reassessment Fund for purposes of the Lawrence Township Assessor, transferring and appropriating \$79,648 in the County General Fund for the purposes of the Marion County Treasurer, Marion County Public Defender, and Marion County Auditor and making certain other reductions to various county budgets funded from the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (d) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Community Corrections, for purposes of the Marion County Clerk's Office, for the purposes of increasing the appropriations for personal services in the Lawrence Township Assessor's budget, for the purposes of increasing the appropriations for personal services in the Decatur Township Assessor's budget, for the purposes of increasing the appropriations for personal services in the Marion County Treasurer's budget, for contractual attorneys in the Public Defender Agency and for expenses in the Auditor's Office, and for the purposes of increasing the fund balance of the County General Fund.

SECTION 2. The sum of Four Hundred Twenty One Thousand Seven Hundred Fifty Two Dollars (\$421,752) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

COMMUNITY CORRECTIONS

3. Other Services and Charges
TOTAL INCREASE

PRE-TRIAL CONDITIONAL RELEASE FUND

225,000
225,000

MARION COUNTY CLERK

3. Other Services and Charges
TOTAL INCREASE

CLERK'S PERPETUATION FUND

38,000
38,000

MARION COUNTY ELECTION BOARD

3. Other Services and Charges
TOTAL INCREASE

HAVA REIMBURSEMENT FUND

58,624
58,624

DECATUR TOWNSHIP ASSESSOR

- 1. Personal Services
- TOTAL INCREASE

PROPERTY REASSESSMENT FUND

8,480
8,480

LAWRENCE TOWNSHIP ASSESSOR

- 1. Personal Services
- TOTAL INCREASE

PROPERTY REASSESSMENT FUND

12,000
12,000

MARION COUNTY TREASURER

- 1. Personal Services
- TOTAL INCREASE

COUNTY GENERAL FUND

11,000
11,000

PUBLIC DEFENDER AGENCY

- 3. Other Services and Charges
- TOTAL INCREASE

COUNTY GENERAL FUND

20,000
20,000

MARION COUNTY AUDITOR

- 3. Other Services and Charges
- TOTAL INCREASE

COUNTY GENERAL FUND

48,648
48,648

SECTION 4. The said additional appropriation is funded by the following reductions:

COMMUNITY CORRECTIONS

- 3. Other Services and Charges
- TOTAL DECREASE

COUNTY GENERAL FUND

225,000
225,000

MARION COUNTY PROSECUTOR

- 1. Personal Services
- 2. Supplies
- 3. Other Services and Charges
- TOTAL DECREASE

COUNTY GENERAL FUND

45,000
10,000
75,000
130,000

PUBLIC DEFENDER AGENCY

- 2. Supplies
- 4. Capital Outlay
- TOTAL DECREASE

COUNTY GENERAL FUND

35,000
30,000
65,000

MARION COUNTY JUSTICE AGENCY

- 1. Personal Services
- 2. Supplies
- 4. Capital Outlay
- TOTAL DECREASE

COUNTY GENERAL FUND

118,975
5,800
975
125,750

FORENSIC SERVICES AGENCY

- 1. Personal Services
- 4. Capital Outlay
- TOTAL DECREASE

COUNTY GENERAL FUND

56,250
10,000
66,250

MARION COUNTY AUDITOR

- 1. Personal Services
- 2. Supplies
- 4. Capital Outlay
- TOTAL DECREASE

COUNTY GENERAL FUND

132,552
5,250
2,250
140,052

COUNTY COMMISSIONERS

- 1. Personal Services
- 2. Supplies
- 3. Other Services and Charges
- TOTAL DECREASE

COUNTY GENERAL FUND

3,533
1,287
2,594
7,414

MARION COUNTY CLERK

- 1. Personal Services
- 3. Other Services and Charges
- 4. Capital Outlay
- TOTAL DECREASE

COUNTY GENERAL FUND

32,377
143,528
7,165
183,070

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<u>MARION COUNTY TREASURER</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	34,860
4. Capital Outlay	<u>2,558</u>
TOTAL DECREASE	37,418
<u>MARION COUNTY SURVEYOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	51,817
3. Other Services and Charges	16,555
4. Capital Outlay	<u>600</u>
TOTAL DECREASE	68,972
<u>MARION COUNTY ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	1,490
2. Supplies	597
3. Other Services and Charges	25,837
4. Capital Outlay	<u>1,500</u>
TOTAL DECREASE	29,424
<u>CENTER TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	30,855
2. Supplies	2,000
3. Other Services and Charges	<u>3,178</u>
TOTAL DECREASE	36,033
<u>DECATUR TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	5,000
2. Supplies	1,962
3. Other Services and Charges	<u>400</u>
TOTAL DECREASE	7,362
<u>DECATUR TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
2. Supplies	2,000
3. Other Services and Charges	4,869
4. Capital Outlay	<u>1,611</u>
TOTAL DECREASE	8,480
<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	1,306
3. Other Services and Charges	<u>2,993</u>
TOTAL DECREASE	4,299
<u>LAWRENCE TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	31,159
3. Other Services and Charges	<u>5,935</u>
TOTAL DECREASE	37,094
<u>LAWRENCE TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
3. Other Services and Charges	<u>12,000</u>
TOTAL DECREASE	12,000
<u>PERRY TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	30,446
2. Supplies	1,000
3. Other Services and Charges	1,785
4. Capital Outlay	<u>1,817</u>
TOTAL DECREASE	35,048
<u>PIKE TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	23,487
2. Supplies	1,365
3. Other Services and Charges	<u>6,202</u>
TOTAL DECREASE	31,054

December 12, 2005

<u>WARREN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	9,475
3. Other Services and Charges	25,349
TOTAL DECREASE	34,824
<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	39,011
3. Other Services and Charges	1,701
TOTAL DECREASE	40,712
<u>WAYNE TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	25,284
TOTAL DECREASE	25,284
<u>MARION COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	350,000
3. Other Services and Charges	1,282,791
4. Capital Outlay	100,000
TOTAL DECREASE	1,732,791
<u>MARION COUNTY CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	2,647
3. Other Services and Charges	1,773
TOTAL DECREASE	4,420
<u>MARION SUPERIOR COURTS</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	131,202
3. Other Services and Charges	286,367
TOTAL DECREASE	417,569
Unappropriated and Unencumbered Pre-Trial Conditional Release Fund	<u>PRE-TRIAL CONDITIONAL RELEASE FUND</u>
TOTAL REDUCTION	225,000 225,000
Unappropriated and Unencumbered Clerk's Perpetuation Fund	<u>CLERK'S PERPETUATION FUND</u>
TOTAL REDUCTION	38,000 38,000
Unappropriated and Unencumbered HAVA Reimbursement Fund	<u>HAVA REIMBURSEMENT FUND</u>
TOTAL REDUCTION	58,624 58,624

SECTION 5. The projected December 31, 2005, fund balance for the County General Fund is as follows:

Cash Balance as of end of Oct, 2005	(10,770,833)
Estimated remaining revenues to be received this year	49,025,000
Total Funds Available	38,254,167
2005 remaining CY and PY appropriations end of Oct. 2005*	41,609,994
Proposed NET reduction in appropriations (this proposal)	(3,412,004)
Total Requirements	38,197,990
Estimated Fund Balance December 31, 2005	56,177

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 592, 2005. Councillor Bowes reported that the Community Affairs Committee heard Proposal No. 592, 2005 on November 28, 2005. The proposal, sponsored by Councillors Sanders and Cain, approves an appropriation totaling \$41,000 in the 2005 Budget of the Marion County Cooperative Extension Service (County General Fund) to pay for educational services provided by Purdue University, financed by a transfer between characters. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bowes moved, seconded by Councillor Gibson, for adoption. Proposal No. 592, 2005 was adopted on the following roll call vote; viz:

24 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Talley

0 NAYS:

4 NOT VOTING: Franklin, Plowman, Randolph, Speedy

1 ABSENT: Bradford

Proposal No. 592, 2005 was retitled FISCAL ORDINANCE NO. 173, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 173, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 137, 2004) transferring and appropriating Forty One Thousand Dollars (\$41,000) in the Marion County General Fund for purposes of the Marion County Cooperative Extension Service and reducing the unappropriated and unencumbered balance in the Marion County General Fund

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (d) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Cooperative Extension Service to pay for educational services provided by Purdue University, financed by a transfer between characters.

SECTION 2. The sum of Forty One Thousand Dollars (\$41,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	41,000
TOTAL INCREASE	41,000

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	39,000
2. Supplies	2,000
TOTAL DECREASE	41,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 595, 2005. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 595, 2005 on December 5, 2005. The proposal, sponsored by Councillors Mahern, Nytes, Mansfield, Keller and Langsford, increases certain user fees to reflect more accurately the costs incurred by the Consolidated City and County and to make various technical corrections to Chapters 536 and 875 of the Revised Code. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mahern moved to amend the proposal to change the effective date in the proposal to make the effect immediate, as was intended all along. Councillor Gibson seconded the motion, and Proposal No. 595, 2005 was amended by a unanimous voice vote.

Councillor Mahern moved, seconded by Councillor Gibson, for adoption. Proposal No. 595, 2005 was adopted on the following roll call vote; viz:

24 YEAS: Abdullallah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Talley

0 NAYS:

4 NOT VOTING: Franklin, Plowman, Randolph, Speedy

1 ABSENT: Bradford

Proposal No. 595, 2005 was retitled GENERAL ORDINANCE NO. 109, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 109, 2005

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to increase certain user fees to reflect more accurately the costs incurred by the Consolidated City and County, and to make various technical corrections.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 536-404 of the "Revised Code of the Consolidated City and County," regarding connection, provision, or use of electrical power, hereby is amended by the deletion of language that is stricken through, to read as follows:

Sec. 536-404. Connection, provision or use of electrical power.

(a) No person, partnership or corporation shall accomplish or allow the connection, provision or use of electrical power relative to an electrical power distribution system in or on a structure where construction (for which a building permit has been or is required to be obtained pursuant to this chapter) has been accomplished, until after an inspection has been made and a distinctive sticker (signifying the electrical power distribution system may be used) has been attached to each service equipment by the administrator or the administrator's authorized representative. It shall be unlawful for any person other than the administrator or the administrator's authorized representative to use, complete, apply or alter such sticker.

(b) As an alternative to section 536-404(a), the administrator of the division of compliance may allow the connection, provision or use of electrical power on the basis of certification by a person who is a licensed electrical contractor if all of the following requirements are met:

- (1) After the completion of the work and before use of the electrical power distribution system is initiated, the licensed electrical contractor who applied for the building permit shall communicate over a specified telephone line in the office of the division of compliance during business hours (to which the division of compliance may attach a recording device to make a record of all information supplied) the following information:
 - a. The name of the person telephoning;
 - b. The electrical contractor license number of the person telephoning;
 - c. The address of the affected premises;
 - d. The building permit number under which the construction was accomplished; and
 - e. The serial number of the electrical craft work certificate of ~~completion and~~ compliance form to be used.
- (2) If such information is in order and if the licensed electrical contractor has accomplished construction for a period of the preceding twelve (12) calendar months without violation of building standards or procedures which in the discretion of the administrator are of sufficient seriousness to make the contractor ineligible to use the certificate, the division of compliance shall indicate over the specified telephone line authorization to attach a certificate to each

service equipment and assign an authorization number to be placed on each certificate by the licensee.

- (3) A certificate, in the following form, must then be executed and attached to each service equipment as a precondition to the connection, provision or use of electrical power.

ELECTRICAL CRAFT WORK CERTIFICATE OF COMPLIANCE

Address _____ of _____ the _____ craft _____ work: _____

Serial number: _____
Permit _____ number: _____

Authorization _____ number: _____

The undersigned licensee hereby certifies under the penalties for perjury that:

1. I am an electrical contractor licensed in accordance with Chapter 875 of the Revised Code of Indianapolis-Marion County, Indiana;
2. I am responsible for the proper completion of the construction which is the subject of the above referenced building permit as applicant for the permit or applicant representing the transferee of the permit; and
3. I have either personally accomplished or personally inspected all such construction, or in the alternative, I have caused the construction to be inspected by a responsible and competent employee who works under my direction and control, who has fully reported to me the condition of the construction; and
4. I know that such construction is in condition for immediate connection on the date stated below; and
5. I am familiar with building standards and procedures applicable to such construction; and
6. I know that such construction has been done in compliance with all building standards and procedures; and
7. I acknowledge and understand that if such construction is done in violation of building standards and procedures, that under the provisions of Chapter 875 my electrical contractor's license may be suspended or revoked.

Date _____ certificate _____ attached _____ to _____ service _____ equipment: _____

Signature: _____

Electrical _____ contractor _____ license _____ number: _____

Typed or printed name: _____

After the signatory attaches a certificate to each service equipment, such person shall cause a duplicate copy of each certificate to be either delivered to the division of compliance or postmarked no later than the next business day by the United States Postal Service.

- (c) It shall be unlawful for any person, partnership or corporation to accomplish the connection, provision or use of electrical power relative to an electrical power distribution system without first receiving authorization from the division of compliance either by telephone communication and attachment of an electrical craft work certificate of completion and compliance or by the distinctive sticker described in section 536-404(a).

(d) Nothing stated in this section shall be construed to deny the right of the division of compliance to inspect the electrical power distribution system to which electrical power is connected either before or after such connection is made or before or after the electrical power distribution system is used.

(e) Electrical craft work certificates of completion and compliance may be purchased only by a licensed electrical contractor who is eligible to use such forms from the division of compliance acting on behalf of the controller, for a fee specified in Article VI of this chapter. Each certificate form shall bear a different serialized number which shall be recorded by the division of compliance along with the name and licensure number of the electrical contractor who purchases the form. The certificate may only be signed and attached by the licensed electrical contractor who purchased it from the division of compliance. It shall be unlawful to sell or transfer such certificate and unlawful to use, complete, sign or attach such a certificate except as prescribed in this section.

SECTION 2. Sections 536-602 through 536-607, inclusive, of the "Revised Code of the Consolidated City and County," regarding certain permit fees, hereby are amended by the deletion of language that is stricken through and addition of the language that is underscored, to read as follows:

Sec. 536-602. Permit ~~fees~~ fee for construction, placement or additions to structures.

(a) ~~Class 2 structures:~~ The permit fee for construction or placement of, or additions to, Class 2 structures is as follows:

(1) ~~A~~ For a primary Class 2 structure, the greater of the following:

- a. ~~Minimum fee Eighty-five dollars (\$85.00).~~ A minimum fee of One Hundred Thirty-Five Dollars (\$135.00); or
- b. ~~General rate Three cents (\$0.03)~~ The product of Five Cents (\$0.05) per square foot of gross floor area, which shall include the area of an attached garage or carport and the area of a finished basement or attic, but exclude the area of an unfinished basement or attic.

(2) ~~For an~~ A ~~Accessory Class 2 structure appurtenant to a primary Class 2 structure, the greater of the following:~~

- a. ~~Minimum fee Forty dollars (\$40.00).~~ A minimum fee of Sixty-Five Dollars (\$65.00); or
- b. ~~General rate Three cents (\$0.03)~~ The product of Five Cents (\$0.05) per square foot of gross floor area.

(b) ~~Class 1 structures:~~ The permit fee for construction or placement of, or additions to, Class 1 structures is the greater of the following:

- (1) ~~Minimum fee One hundred thirty five dollars (\$135.00).~~ A minimum fee of Two Hundred Fifteen Dollars (\$215.00); or
- (2) ~~General rate Four cents (\$0.04)~~ The product of Ten Cents (\$0.10) per square foot of gross floor area, each floor.

Sec. 536-603. Permit ~~fees~~ fee for remodeling, alteration, or repair of structures.

(a) ~~Class 2 structures:~~ The permit fee for remodeling, alteration, or repair of Class 2 structures is the greater of the following:

- (1) ~~Minimum fee Forty dollars (\$40.00).~~ A minimum fee of Sixty-Five Dollars (\$65.00); or
- (2) ~~General rate Seven dollars (\$7.00) per one thousand dollars (\$1,000.00) of total value or three cents (\$0.03) per square foot of gross floor area of each floor being remodeled or altered; whichever method of computation yields the lesser fee amount. The lesser product of the following:~~
 - a. Fifteen Dollars (\$15.00) per One Thousand Dollars (\$1,000.00) of the total value; or
 - b. Five Cents (\$0.05) per square foot of gross floor area of each floor being remodeled or altered.

- (3) ~~Provided, however, that~~ When remodeling, alteration, or repair of a Class 2 structure is accomplished at the same time as an addition to an existing structure, a single permit fee shall be determined according to section 536-602.

(b) ~~Class 1 structures:~~ The permit fee for remodeling, alteration, or repair of Class 1 structures is the greater of the following:

- (1) ~~Minimum fee—Seventy-five dollars (\$75.00). A minimum fee of One Hundred Twenty Dollars (\$120.00); or~~
- (2) ~~General rate—Seven dollars (\$7.00) per one thousand dollars (\$1,000.00) of total value or four cents (\$0.04) per square foot of gross floor area of each floor being remodeled or altered; whichever method of computation yields the lesser fee amount. The lesser product of the following:~~
 - a. Fifteen Dollars (\$15.00) per One Thousand Dollars (\$1,000.00) of the total value; or
 - b. Ten Cents (\$0.10) per square foot of gross floor area of each floor being remodeled or altered.

Sec. 536-604. Permit ~~fees~~ fee for plumbing activity.

(a) The permit fee for ~~for~~ installation of a plumbing system in a new structure or in an addition to an existing Class 1 structure is the greater of the following:

- (1) ~~Minimum fee—\$30.00. A minimum fee of Fifty Dollars (\$50.00); or~~
- (2) ~~General rate—15% Fifteen Percent (15%) of the fee for the building permit (as provided for in section 536-602) which has been obtained for the new structure.~~

(b) The permit fee for ~~A~~ alteration, repair or replacement of plumbing in an existing structure or in an addition to an existing Class 2 structure is the greater of the following:

- (1) ~~Minimum fee—\$20.00. A minimum fee of Thirty-Five Dollars (\$35.00); or~~
- (2) ~~General rate—\$5.50 The product of Ten Dollars (\$10.00) per \$1,000.00 of total value;~~

~~(3) provided, however, that~~ The plumbing permit fee shall not exceed the structural permit fee (as provided in section 536-602(a) or in section 536-603).

(c) The permit fee for ~~for~~ initial connection or reconnection of plumbing to a structure which has been removed from one (1) location and is being placed at another location or to a factory constructed building—~~\$25.00 is Forty Dollars (\$40.00).~~

(d) If plumbing activity is limited solely to replacement or installation of one (1) or more water heaters in a structure the permit fee is the greater of the following:

- (1) ~~Minimum fee—\$15.00. A minimum of Twenty-Five Dollars (\$25.00); or~~
- (2) ~~General rate—\$5.50 The product of Ten Dollars (\$10.00) per \$1,000.00 of total value.~~

(e) A permit may encompass plumbing activity in one (1) fee category to be accomplished within a single structure, regardless of the number of independent systems in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

Sec. 536-605. Permit ~~fees~~ fee for electrical activity.

(a) The permit fee for ~~for~~ installation of an electrical power distribution system in a new structure or in an addition to an existing structure other than a Class 2 structure is the greater of the following:

- (1) ~~Minimum fee—\$35.00. A minimum fee of Fifty-Five Dollars (\$55.00); or~~
- (2) ~~General rate— Twenty Percent (20%) of the fee for the building permit (as provided for in section 536-602) which has been obtained for the new structure or addition.~~

(b) The permit fee for Repair, alteration or remodeling of an electrical power distribution system in an existing structure, or in an addition to a Class 2 structure is the greater of the following:

- (1) ~~Minimum fee — \$20.00.~~ A minimum of Thirty-Five Dollars (\$35.00); or
- (2) ~~General rate — \$5.50~~ The product of Ten Dollars (\$10) per \$1,000.00 total value;

~~(3) provided, however, that~~ When documentation submitted prior to the issuance of a permit indicates that the value to the structural work is greater than or equal to the value of the electrical work, the electrical permit fee shall not exceed the structural permit fee (as provided for in section 536-602(a)).

(c) The permit fee for Installation or replacement of space heating equipment using electricity as its primary source of energy is the greater of the following:

- (1) ~~Minimum fee — \$20.00.~~ A minimum fee of Thirty-Five Dollars (\$35.00); or
- (2) ~~General rate — \$0.15~~ The product of Twenty-Five Cents (\$0.25) per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh and \$0.07 Fifteen Cents (\$0.15) per each additional 1,000 Btuh.

(d) The permit fee for Installation or replacement of space cooling equipment using electricity as its primary source of energy is as follows:

- (1) ~~Minimum fee — \$20.00.~~ A minimum fee of Thirty-Five Dollars (\$35.00); or
- (2) ~~General rate — \$0.20~~ The product of Thirty-Five Cents (\$0.35) per 1,000 Btuh of output capacity up to the first 600,000 Btuh, and \$0.07 Fifteen Cents (\$0.15) per each additional 1,000 Btuh.

(e) The permit fee for Installation or replacement of combined space heating and space cooling equipment using electricity as their primary source of energy is the greater of the following:

- (1) ~~Minimum fee — \$25.00.~~ A minimum fee of Forty Dollars (\$40.00); or
- (2) ~~General rate —~~ Seventy Percent (70%) of the sum of both general rates provided above in section 536-605(c)(2) and (d)(2) as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined space equipment.

(f) The permit fee for Initial connection or reconnection of electrical power to a structure which has been removed from one (1) location and is being placed at another location or to a factory constructed building — \$25.00 is Forty Dollars (\$40.00).

(g) The permit fee for Installation, alteration, replacement or repair of a system distributing electrical power to service equipment supplying power to manufactured home located in a manufactured home park is the greater of the following:

- (1) ~~Minimum fee — \$25.00.~~ A minimum fee of Forty Dollars (\$40.00); or
- (2) ~~General rate — \$6.00~~ Ten Dollars (\$10.00) per service equipment assembly located on property owned by the same person, partnership or corporation and available for inspection at one (1) time.

(h) The fee for obtaining each "Electrical craft work certificate of completion and compliance" forms, as allowed in section 536-404(b), — \$7.00 each is Fifteen Dollars (\$15.00).

(i) A permit may encompass electrical activity in one (1) fee category to be accomplished within a single structure, regardless of the number of independent systems or equipment units in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

Sec. 536-606. Permit ~~fees~~ fee for heating, cooling and refrigeration activity.

(a) The permit fee for Heating systems, space heating equipment, and duct work: (1) Installation, replacement, or addition of a heating system, space heating equipment or other types of heating transfer, or installation, replacement, alteration, or addition of duct work only is the greater of the following:

- a. ~~(1) Minimum fee—\$25.00. A minimum fee of Forty Dollars (\$40.00); or~~
- b. ~~(2) General rate—\$0.15 The product of Twenty-Five Cents (\$0.25) per each 1,000 Btuh of input capacity up to the first 1,200,000 Btuh, and \$0.07 Fifteen Cents (\$0.15) per additional 1,000 Btuh.~~
- (b) The permit fee for Cooling systems, space cooling equipment, and duct work:
- (+) ~~Installation, addition or replacement of a cooling system, space cooling equipment, or other types of cooling transfer, or installation, replacement, alteration, or addition to duct work only is as follows:~~
- a. ~~(1) Minimum fee—\$25.00. A minimum fee of Forty Dollars (\$40.00); or~~
- b. ~~(2) General rate—\$0.20 The product of Thirty-Five Cents (\$0.35) per each 1,000 Btuh of input capacity up to the first 600,000 Btuh, and \$0.07 Fifteen Cents (\$0.15) per additional 1,000 Btuh.~~
- (c) The permit fee for Combined heating systems and cooling systems, combined space heating and space cooling equipment, or duct work:
- (+) ~~Installation, replacement, or addition of combined heating systems and cooling systems, combined space heating equipment and space cooling equipment, or other types of heating or cooling transfer, or installation, replacement, alteration, or addition of duct work only is the greater of the following:~~
- a. ~~(1) Minimum fee—\$30.00. A minimum fee of Fifty Dollars (\$50.00); or~~
- b. ~~(2) General rate— Seventy Percent (70%) of the sum of both general rates provided above in section 536-606(a)(1)b and 536-606(b)(1)b as they are applied to the heating input capacity and cooling input capacity, respectively, of the combined systems.~~
- (d) The permit fee for Refrigeration equipment is the greater of the following:
- a. ~~(1) Minimum fee—\$25.00. A minimum of Forty Dollars (\$40.00); or~~
- b. ~~(2) General rate—\$0.20 The product of Thirty-Five Cents (\$0.35) per 1,000 Btuh of input capacity up to the first 60,000 Btuh and \$0.07 Fifteen Cents (\$0.15) per each additional 1,000 Btuh.~~
- (e) A permit may encompass heating, cooling and refrigeration activity in one (1) fee category to be accomplished within a single structure, regardless of the number of independent systems or equipment units in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

Sec. 536-607. Permit fees ~~fee~~ for demolition or removal of structures.

- (a) ~~Class 2 structures: The permit fee for demolition or removal of Class 2 structures is as follows:~~
- (1) ~~For Primary Class 2 structures located on the same premises:~~
- a. ~~Tallest building is two story Forty dollars (\$40.00). If no building has more than two stories above grade, the base fee is Sixty-Five Dollars (\$65.00);~~
- b. ~~For each additional story of tallest building over two (2) stories, add fifteen dollars (\$15.00). Twenty-Five Dollars (\$25.00).~~
- (2) ~~For any Accessory Class 2 structure, the fee is Forty Dollars (\$40.00). Twenty-five dollars (\$25.00).~~
- (b) ~~Class 1 structures: The permit fee for demolition or removal of Class 1 structures is as follows:~~
- (1) ~~For each One (1) story Class 1 structure:~~

- a. Ground floor area up to two thousand (2,000) square feet—~~Forty-five dollars (\$45.00);~~ Seventy Dollars (\$70.00);
 - b. Ground floor area up to four thousand (4,000) square feet—~~Eighty-five dollars (\$85.00);~~ One Hundred Thirty-Five Dollars (\$135.00);
 - c. Ground floor area up to ten thousand (10,000) square feet—~~One hundred twenty-five dollars (\$125.00);~~ Two Hundred Dollars (\$200.00);
 - d. Ground floor area up to twenty thousand (20,000) square feet—~~One hundred eighty dollars (\$180.00);~~ Two Hundred Eighty-Five Dollars (\$285.00);
 - e. Ground floor area over twenty thousand (20,000) square feet—~~Three hundred fifty-five dollars (\$355.00);~~ Five Hundred Sixty Dollars (\$560.00);
- (2) For each additional story over one (1) story, add fifty (50) percent of the ground floor area fee determined pursuant to subsection (b)(1).

(c) The permit fee for demolition or removal of ~~Smokestacks, aboveground storage tanks, overhead hoppers, or other similar structures—One hundred dollars (\$100.00)~~ is One Hundred Sixty Dollars (\$160.00).

SECTION 3. Sections 536-609 through 536-612, inclusive, of the “Revised Code of the Consolidated City and County,” regarding certain fees, hereby are amended by the deletion of language that is stricken through, and by the addition of language that is underscored, to read as follows:

Sec. 536-609. Administrative fee.

(a) An administrative fee of ~~one hundred twenty-five dollars~~ One Hundred Twenty-Five Dollars (\$125.00) may be assessed at the discretion of the administrator (in accordance with a written policy established by the administrator) against a person, partnership, or corporation relative to construction for which the person, partnership, or corporation has obtained a building permit, and:

- (1) Notice was not given that construction was available for inspection within the time period required by section 536-402 and the construction is no longer available for inspection; or
- (2) Notice was given pursuant to section 536-402 that construction was available for inspection; and:
 - a. The construction could not be found because the construction address provided on the permit application was incorrect; or
 - b. The construction was not accessible when the inspector attempted to make the requested inspection at the time agreed upon for the inspection (or if no time was agreed upon, between 8:00 a.m. and 5:00 p.m. Monday through Friday on a day that is not a holiday); or
 - c. The construction was not yet sufficiently completed for an inspection to be made; or
 - d. The construction was covered or otherwise concealed and therefore not available for inspection; or
- (3) A notice of correction was issued to the person, partnership, or corporation and either no response from the person, partnership, or corporation was made within the time specified for reinspection or the person, partnership, or corporation requested reinspection of corrections and the corrections were not properly completed; or
- (4) A certificate required by section 536-301, 536-302, 536-303 or 536-404 was not filed within the time period required by those sections.

(b) An administrative fee of ~~one hundred twenty-five dollars~~ One Hundred Twenty-Five Dollars (\$125.00) may be assessed at the discretion of the administrator (in accordance with a written policy established by the administrator) against a person, partnership, or corporation when an inspection reveals that construction has started or is completed that requires a permit and that a permit was not obtained prior to the time of inspection.

(c) An administrative fee of ~~one hundred twenty-five dollars~~ One Hundred Twenty-Five Dollars (\$125.00) may be assessed at the discretion of the administrator (in accordance with a written policy established by the administrator) against a contractor when an inspection reveals that construction has started or is completed that requires notification under section 536-216 and notification was not obtained and posted prior to the time of inspection.

(d) An administrative fee of ~~one hundred twenty-five dollars~~ One Hundred Twenty-Five Dollars (\$125.00) may be assessed at the discretion of the administrator (in accordance with a written policy established by the administrator) against a person, partnership, or corporation relative to construction for which a building permit is not required when an inspection visit to the construction address is needed because the inspector receives information that there exists a substantive violation of the building standards and procedures, resulting in the issuance of a notice of correction.

(e) An administrative fee of One Hundred Twenty-Five Dollars (\$125.00) may be assessed (in accordance with a written policy established by the administrator) where a certificate required by section 536-301, 536-302, 536-303 or 536-404 was not filed with the division of compliance, the permit has expired for a period of more than 30-days, and a request for renewal of the permit provided for in section 536-616 was not requested prior to the issuance of the administrative fee.

(f) An administrative fee of ~~one hundred twenty-five dollars~~ One Hundred Twenty-Five Dollars (\$125.00) may be assessed at the discretion of the administrator (in accordance with a written policy established by the administrator) against a person, partnership, or corporation relative to zoning violations when any subsequent inspection visit to the address is needed because a violation has not been corrected and a notice of violation or citation has been issued.

(g) The administrator of the division of compliance, or his designee, may, at his discretion, waive all or any part of an administrative fee assessed under this section when such fee was assessed in error or when mitigating circumstances indicate the appropriateness of waiving all or part of the reinspection fee.

Sec. 536-610. Miscellaneous inspection ~~fees~~ fee.

For inspection of premises upon which municipally licensed activities are to be carried out, as specified in section 536-503, ~~the fee for the initial inspection and annual reinspection—Fifty-two dollars (\$52.00) is~~ Eighty-Five Dollars (\$85.00) for building inspection, and ~~eighty-four dollars~~ Eighty-Four Dollars (\$84.00) for fire inspection.

Sec. 536-611. Fee for transfer of building permit.

~~The Fee for transfer of building permit as provided for in section 536-211—Thirty dollars (\$30.00) is~~ Fifty Dollars (\$50.00).

Sec. 536-612. Fee for construction not specifically defined above.

If construction should not be adequately specified by above sections of this Article VI, the general permit or inspection fee shall be ~~calculated at the following rate~~ the greater of the following:

- (1) ~~Minimum fee (residential)—Twenty five dollars (\$25.00).~~ Forty Dollars (\$40.00) if for residential or Fifty (\$50.00) if for anything other than residential; or
- (2) ~~Minimum fee (anything other than residential)—Thirty dollars (\$30.00).~~
- (3) ~~General rate—Five dollars and fifty cents (\$5.50)~~ Ten Dollars (\$10.00) per one thousand dollars (\$1,000.00) of total value.

SECTION 4. Sections 536-614 through 536-616, inclusive, of the “Revised Code of the Consolidated City and County,” regarding certain fees, hereby are amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

Sec. 536-614. Fee for building permit obtained by telephone communication or facsimile machine.

When a building permit is obtained by telephone communication or facsimile machine (as provided for in section 536-209) an additional fee of ~~\$7.00~~ Fifteen Dollars (\$15.00) shall be assessed.

Sec. 536-615. Fee for amendment of permit or plans.

~~Fee for the~~ If an amendment of a building permit that requires submittal of additional plans, but does not cause the building permit fee to increase, ~~the fee is shall be thirty dollars (\$30.00)~~ Fifty Dollars (\$50.00).

Sec. 536-616. Fee for renewal after expiration.

~~The Fee for renewal of a building permit shall be thirty dollars (\$30.00)~~ is Fifty Dollars (\$50.00).

SECTION 5. Chapter 536 of the Revised Code of the Consolidated City and County hereby is amended by the addition of NEW sections 536-619 and 536-620, to read as follows:

Sec. 536-619. Application Fees.

A non-refundable application fee of Twenty-Five Dollars (\$25.00) shall be paid in association with all Demolition, Master, Sign, Structural, and Infrastructure related permits, for services rendered regardless of the issuance of a permit.

Sec. 536-620. Fees for plan review.

A non-refundable fee is due upon submission of an application for services rendered in the review of plans, regardless of whether a permit is ultimately issued. The fee shall be determined according to the following:

- (1) The fee for a primary or accessory Class 2 structure shall be Twenty-Five Dollars (\$25.00) if the structure is less than 2,000 square feet, or Fifty Dollars (\$50.00) if the structure is 2,000 square feet or more.
- (2) The fee for a Class 1 structure is as follows:
 - a. If the structure is less than 2,500 square feet, the base fee is One Hundred Twenty-Five Dollars (\$125.00), provided that review time in excess of one (1) hour shall be billed at Seventy-Five Dollars per hour in addition to the base fee;
 - b. If the structure is 2,500 square feet or more but less than 5,000 square feet, the base fee is One Hundred Seventy-Five Dollars (\$175.00), provided that review time in excess of two (2) hours shall be billed at Seventy-Five Dollars per hour in addition to the base fee;
 - c. If the structure is 5,000 square feet or more but less than 10,000 square feet, the base fee is Two Hundred Twenty-Five Dollars (\$225.00), provided that review time in excess of three (3) hours shall be billed at Seventy-Five Dollars per hour in addition to the base fee; and
 - d. If the structure is 10,000 square feet or more, the base fee is Three Hundred Dollars (\$300.00), provided that review time in excess of four (4) hours shall be billed at Seventy-Five Dollars per hour in addition to the base fee.

SECTION 6. Section 875-701 of the "Revised Code of the Consolidated City and County," regarding fees for listings, registrations, and licenses, hereby is amended by the deletion of language that is stricken through, and by the addition of language that is underscored, to read as follows:

Sec. 875-701. Listing, registration and license fees.

(a) ~~The Fee~~ for listing a sole proprietor, partnership or corporation as a general contractor; fee for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor shall be as follows:

(1) New listing or license: ~~Two hundred fifty dollars (\$250.00)~~ Three Hundred Ninety-Five Dollars (\$395.00).

(2) Renewal of listing or license: ~~Two hundred dollars (\$200.00)~~ Three Hundred Fifteen Dollars (\$315.00).

- (3) New Listing or license that has a duration for a period from three hundred sixty-five (365) days to five hundred forty-eight (548) days: ~~One hundred eighty-seven dollars (\$187.00)~~ Two Hundred Ninety-Five Dollars (\$295.00).
- (4) New listing or license that has a duration from one (1) to three hundred sixty-four (364) days: ~~One hundred twenty-five dollars (\$125.00)~~ Two Hundred Dollars (\$200.00).
- (b) ~~The Fee~~ for registration of state licensed plumbing contractors who are sole proprietors or for individuals within a corporation who are eligible to secure permits:
- (1) New registration: ~~One hundred dollars (\$100.00)~~ One Hundred Sixty Dollars (\$160.00).
- (2) Renewal of registration: ~~Eighty dollars (\$80.00)~~ One Hundred Twenty-Five Dollars (\$125.00).
- (3) New registration that has a duration from three hundred sixty-five (365) days to five hundred forty-eight (548) days: One Hundred Twenty dollars (\$120.00).
- (34) New registration that has a duration from one (1) to three hundred sixty-four (364) days: ~~Fifty dollars (\$50.00)~~ Eighty Dollars (\$80.00).
- (c) ~~Annual fee for persons eligible to apply for permits.~~ A licensed or listed contractor shall be allowed to specify five (5) names, which includes officers, partners, employees or agents of the contractor, who are eligible to secure permits for the contractor. Additional names may be specified, but ~~forty dollars (\$40.00)~~ Sixty-Five Dollars (\$65.00) shall be charged for each additional name.
- (d) A person who meets the inspector status requirements stated in section 875-108, 875-214, 875-313 or 875-413 is relieved of the requirement of the annual license, listing or registration fees.

SECTION 7. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 8. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 9. This ordinance shall be in effect on and after April 1, 2006, following the passage of this ordinance by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 597, 2005. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 597, 2005 on November 17, 2005. The proposal, sponsored by Councillors Gray and Cockrum, transfers \$14,327 in the 2005 Budget of the Department of Parks and Recreation (Federal Grants Fund) between characters to reimburse the Park General Fund for staff expenses incurred in support of the Summer Lunch program, provided for in a federal grant from the U.S. Department of Agriculture. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 597, 2005 was adopted on the following roll call vote; viz:

December 12, 2005

24 YEAS: Abdullallah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Talley

0 NAYS:

4 NOT VOTING: Franklin, Plowman, Randolph, Speedy

1 ABSENT: Bradford

Proposal No. 597, 2005 was retitled FISCAL ORDINANCE NO. 174, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 174, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) transferring and appropriating Fourteen Thousand Three Hundred Twenty Seven Dollars (\$14,327) in the Federal Grants Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to transfer funds to reimburse the Park General fund for staff expenses incurred in support of the Summer Lunch program, provided for in a federal grant from the United States Department of Agriculture.

SECTION 2. The sum of Fourteen Thousand Three Hundred Twenty Seven Dollars (\$14,327) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	<u>14,327</u>
TOTAL INCREASE	14,327

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>14,327</u>
TOTAL DECREASE	14,327

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 598-601 and 606, 2005 on November 16, 2005. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 598, 2005. The proposal, sponsored by Councillor Moriarty Adams, transfers and appropriates \$600,000 and makes certain reductions in the 2005 Budget of the Department of Public Safety, Fire Division (Fire General and Fire Pension Funds), to pay for additional unanticipated costs of fuel for vehicles, to cover overtime costs, and to reduce other appropriations to provide sufficient funds for the 2006 budget. PROPOSAL NO. 599, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$800,000 and makes certain reductions in the 2005 Budget of the Department of Public Safety, Police Division (Police General and Police Pension Funds) to pay additional unanticipated costs of fuel for vehicles, and to reduce other appropriations to provide sufficient funds for the 2006 budget. PROPOSAL NO. 600, 2005. The proposal, sponsored by Councillors Moriarty Adams and McWhirter, approves a

transfer of \$44,363 in the 2005 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund), between characters to purchase tactical vests and technology for the Justice Assistance grant, and for investigations equipment for Project Care. PROPOSAL NO. 601, 2005. The proposal, sponsored by Councillors Moriarty Adams and Talley, approves the amendment of the Marion County Sheriff's Department Retirement Plan adopting a deferred retirement option plan. PROPOSAL NO. 606, 2005. The proposal, sponsored by Councillor Moriarty Adams, transfers \$40,000 in the 2005 Budget of the Marion County Clerk (Clerk's Perpetuation Fund) to purchase printed file folders for court records, the budget for which was in the wrong character. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal Nos. 598-601 and 606, 2005 were adopted on the following roll call vote; viz:

24 YEAS: *Abduallah, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Talley*
0 NAYS:
4 NOT VOTING: *Borst, Plowman, Randolph, Speedy*
1 ABSENT: *Bradford*

Proposal No. 598, 2005 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 175, 2005, and reads as follows:

CITY-COUNTY FIRE SPECIAL SERVICE DISTRICT NO. 2, 2005

A FISCAL ORDINANCE amending the City-County Fire Special Service District Annual Budget for 2005 (City-County Fire Special Service District Fiscal Ordinance No. 2, 2004) reducing appropriations by Six Hundred Dollars (\$600,000) in the Fire General and Fire Pension funds for the Department of Public Safety, for the purposes of increasing the fund balances in the Fire General and Fire Pension funds.

BE IT ORDAINED BY THE FIRE SPECIAL SERVICE DISTRICT COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the City-County Fire Special Service District Annual Budget for 2005 be, and is hereby amended by reducing the 2005 budget of the Fire Division, to pay additional unanticipated costs of fuel for vehicles and to cover overtime costs, and to reduce other appropriations to provide sufficient funds for the 2006 budget.

SECTION 2. The sum of One Million Four Hundred Seventy Five Thousand Eight Hundred Seventeen Dollars (\$1,475,817) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increases are hereby approved:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

1. Personal Services
5. Internal Charges
TOTAL INCREASE

FIRE GENERAL FUND

300,000
300,000
600,000

Unappropriated and Unencumbered

Fire General Fund
TOTAL INCREASE

FIRE GENERAL FUND

199,000
199,000

Unappropriated and Unencumbered

Fire Pension Fund
TOTAL INCREASE

FIRE PENSION FUND

1,000,000
1,000,000

SECTION 4. The said additional appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

FIRE GENERAL FUND

2. Supplies and Materials	200,000
3. Other Services and Charges	316,500
4. Capital Outlay	<u>282,500</u>
TOTAL DECREASE	799,000

DEPARTMENT OF PUBLIC SAFETY

FIRE PENSION DIVISION

FIRE PENSION FUND

1. Personal Services	962,670
2. Supplies and Materials	5,000
3. Other Services and Charges	27,630
4. Capital Outlay	1,200
5. Internal Charges	<u>3,500</u>
TOTAL DECREASE	1,000,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 599, 2005 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 175, 2005, and reads as follows:

CITY-COUNTY POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 2005

A FISCAL ORDINANCE amending the City-County Police Special Service District Budget for 2005 (City-County Police Special Service District Ordinance No. 3, 2004) by transferring and appropriating Eight Hundred Thousand dollars (\$800,000) in the Police General Fund and making certain other reductions for purposes of the Department of Public Safety, Police Division.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Sections 1 and 2 of the City-County Police Special Service District Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division) to pay additional unanticipated costs of fuel for vehicles, and to reduce other appropriations to provide sufficient funds for the 2006 budget.

SECTION 2. The sum of Eight Hundred Thousand dollars (\$800,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

POLICE GENERAL FUND

5. Internal Charges	<u>800,000</u>
TOTAL INCREASE	800,000

POLICE GENERAL FUND

Unappropriated and Unencumbered	
Police General Fund	<u>2,220,000</u>
TOTAL INCREASE	2,220,000

SECTION 4. The said additional appropriation is funded by the following transfers or reductions:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

POLICE GENERAL FUND

1. Personal Services	2,320,000
2. Supplies and Materials	200,000
3. Other Services and Charges	300,000
4. Capital Outlay	<u>200,000</u>
TOTAL DECREASE	3,020,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 600, 2005 was retitled FISCAL ORDINANCE NO. 176, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 176, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) transferring and appropriating Forty Four Thousand Three Hundred Sixty-Three Dollars (\$43,363) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Police Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division to purchase tactical vests and technology for the Justice Assistance grant, and for investigations equipment for Project Care, financed by transfers between characters.

SECTION 2. The sum of Forty Four Thousand Three Hundred Sixty-Three Dollars (\$43,363) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

NON-LAPSING FEDERAL GRANTS

2. Supplies and Materials	27,740
4. Capital Outlay	<u>16,623</u>
TOTAL INCREASE	44,363

SECTION 4. The said additional appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

NON-LAPSING FEDERAL GRANTS

3. Other Services and Charges	<u>44,363</u>
TOTAL DECREASE	44,363

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 601, 2005 was retitled GENERAL RESOLUTION NO. 22, 2005, 2005, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 22, 2005

PROPOSAL FOR A GENERAL RESOLUTION to approve the amendment of the Marion County Sheriff's Department Personnel Retirement Plan to include a Deferred Retirement Option Program (DROP) effective January 1, 2006.

December 12, 2005

WHEREAS, the Marion County Sheriff's Department Personnel Retirement Plan was established by the Marion County Sheriff's Department, Indianapolis, Indiana, effective January 1, 1963 and completely reinstated effective January 1, 2002; and

WHEREAS, by Section 11.01 of the Marion County Sheriff's Department Personnel Retirement Plan, the Marion County Sheriff's Department reserved the right to amend the Plan; and

WHEREAS, the Marion County Sheriff's Department desires to amend the Marion County Sheriff's Department Personnel Retirement Plan to adopt a deferred retirement option plan as provided for by state law; and

WHEREAS, state law mandates that a department may not establish or modify a retirement plan without approval of the county fiscal body; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to the specific authority granted by Indiana Code 36-8-10-2.02; 6.11, 8.01 and 8.02 and 12.2, the amendment to the Marion County Sheriff's Department Personnel Retirement Plan by the First Amendment to Marion Sheriff's Department Personnel Retirement Plan adopting a deferred retirement option program by the addition of a new Section 5.04 effective January 1, 2006 shall be and hereby is approved.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

Proposal No. 606, 2005 was retitled FISCAL ORDINANCE NO. 175, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 175, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating Forty Thousand Dollars (\$40,000) in the Clerk's Perpetuation Fund for purposes of the Marion County Clerk and reducing certain other appropriations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Clerk to purchase printed file folders for court records, the budget for which was in the wrong character, financed by a transfer between characters.

SECTION 2. The sum of an Forty Thousand Dollars (\$40,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY CLERK</u>	<u>CLERK'S PERPETUATION FUND</u>
3. Other Services and Charges	<u>40,000</u>
TOTAL INCREASE	40,000

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>MARION COUNTY CLERK</u>	<u>CLERK'S PERPETUATION FUND</u>
2. Supplies	<u>40,000</u>
TOTAL DECREASE	40,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 611, 2005. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 611, 2005 on November 15, 2005. The proposal, sponsored by

Councillors Boyd, Talley and Sanders, approves financial institutions for city and county banking relationships. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 601, 2005 was adopted on the following roll call vote; viz:

24 YEAS: Abdullallah, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Talley
0 NAYS:
4 NOT VOTING: Borst, Plowman, Randolph, Speedy
1 ABSENT: Bradford

Proposal No. 611, 2005 was retitled SPECIAL RESOLUTION NO. 89, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 89, 2005

A PROPOSAL FOR A SPECIAL RESOLUTION requiring the Marion County Treasurer to deposit city and county funds in financial institutions that have Community Reinvestment Act ("CRA") ratings of "Outstanding" or "Satisfactory" and that no city or county funds be deposited in institutions with lesser CRA ratings; that the Treasurer maintain a list of the current CRA ratings of all state approved institutions for Marion County; and, that the Treasurer distribute the said list to all local government offices and agencies.

WHEREAS, Indiana Code 36-2-10 authorizes local government and the City-County Council to establish banking relationships with state approved financial institutions; and

WHEREAS, elected officials and appointed staff have a fiduciary responsibility to select financially sound financial institutions; and

WHEREAS, the Community Reinvestment Act requires federal and state bank examiners to rate financial institutions on their community reinvestment performance and the institutions to publicly post their CRA ratings; and

WHEREAS, these CRA ratings can be "Outstanding", "Satisfactory", "Needs to Improve" and "Substantial Non-compliance"; and

WHEREAS, it is to the benefit of Marion County taxpayers to have public funds deposited in financial institutions that are good corporate citizens, now therefore:

BE RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council approves and requires that city and county funds be deposited in financial institutions that have CRA ratings of "Satisfactory" or "Outstanding" and that no funds be deposited in institutions with ratings of "Needs to Improve" or "Substantial Non-compliance".

SECTION 2. The Marion County Treasurer is directed to maintain a list of the current CRA ratings of state approved financial institutions for Marion County.

SECTION 3. The Marion County Treasurer is directed to distribute the CRA ratings of all state approved financial institutions to all local government offices and agencies.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Talley in memory of Travis Bennett; and
- (2) Councillor Nytes in memory of Dianna Roark; and
- (3) Councillor Oliver and Talley in memory of Ronald Dillard; and
- (4) Councillor Brown and Gray in memory of Marian Rita Smith; and
- (5) Councillor Langsford in memory of Michael "Turk" Lee Johnson, Betty H. Johnson, and Verda A. Ferrell; and
- (6) Councillor Boyd in memory of Harold Hodges, Mary Torrain, and Rebecca White Walker; and
- (7) Councillor Abdullah in memory of Nelly R. Matthews.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of by All Councillors in memory of Travis Bennett ,Jack Morris, Alfred Finnell, Sr., Norman Johnson. Dianna Roark, Ronald Dillard, Marian Rita Smith, Michael "Turk" Lee Johnson, Betty H. Johnson, Verda A. Ferrell, Harold Hodges, Mary Torrain, Rebecca White Walker, and Nelly R. Matthews. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:03 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 12th day of December, 2005.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)